



Lamoine Board of Selectmen

606 Douglas Hwy
Lamoine, ME 04605
(207) 667-2242
town@lamoine-me.gov

Minutes of June 21, 2012

Chair Jo Cooper called the meeting to order at 7:00 PM

Present were: Selectmen William Brann, Cynthia Donaldson, S. Josephine Cooper, Gary McFarland; Administrative Assistant Stu Marckoon, Fire Department Chief Engineer Moe Oliver, Deputy Code Enforcement Officer/Assessor Michael Jordan, RSU 24 Representative Brett Jones, Local School Advisory Committee member Gordon Donaldson, Jay Fowler and Jane Fowler. Selectman Richard Fennelly Jr. had phoned the town office earlier in the day to report he would most likely be unable to attend.

Agenda Review – Stu suggested taking the fire department boiler matter up top as the Chief Engineer was present to address the matter. Selectmen agreed to do so.

Fire Department Boiler – Chief Engineer Oliver suggested accepting the bid for the new boiler system from Dennis Lounder. He said an engineer looked at the system and after that he is changing his mind as to what to install. He said the other bid was \$6,625 higher. He said he's met with Mr. Lounder and he believes the project as revised can be done for the bid price. He suggested putting in \$400 in for a contingency, bringing the project to \$9,500. He said you never know what you will get into.

Cynthia said that was a good suggestion. Jo asked how the funding would work. Stu said the plan, as he understood it, was that the fire department would provide the funding up front and a special town meeting would be asked to reimburse the fire department. Mr. Oliver said the contingency would not be needed if that's the plan.

Cynthia asked about the specifications. Mr. Oliver explained the limitations of the in-floor radiant heating. He said a heat exchange would be better – it wouldn't cure all of the problems, but would deal with a vast majority of them. He said the new installation will be better insulated.

Jo moved to award the bid to Lounder Plumbing and Heating. Gary 2nd. **Vote in favor was 4-0.**

Minutes – June 7, 2012 – Cynthia said there was one very minor correction. Jo moved to approve the minutes with that correction. Gary 2nd. **Vote in favor was 4-0.**

Minutes – June 14, 2012 – Cynthia said there was a correction in regard to a job description. Stu said that could be reworded. Jo moved to approve with the correction. Gary 2nd. **Vote in favor was 4-0.**

Expenditure Warrant 25 – Selectmen signed the warrant in the amount of \$366,761.99. Stu reported the largest expenditures were paving and the RSU 24 payments. He said he moved \$300,000 from the investment management account to cover the checks.

Cash & Budget Report – Stu noted that the tuition bill was lower than budgeted, paving was lower than budgeted, and only few weeks remain in the fiscal year.

Investment Management – There were no questions about the printed report.

Liens – Stu reported that 113 tax liens were filed for the previous year, which is larger than normal. He said many of those involve lots in subdivisions that had been developed. Bill asked if bank escrow paid any of those. Stu said banks all get a copy of the lien as required. He said national escrow companies generally service those accounts and there are no problems with them

General Assistance – Jo opened a public hearing on the proposed amendments to the General Assistance Ordinance at 7:12 PM. Stu briefly explained that the changes are the result of legislation passed in the previous session that go into effect July 1, 2012 and that virtually every other community in Maine is doing the same thing. The hearing closed at 7:13 PM. Jo moved to adopt the changes to the GA Ordinance. Cynthia 2nd.
Vote in favor was 4-0; Selectmen signed the ordinance change sheet.

RSU 24 Withdrawal Vote – Stu reported that the vote on June 12, 2012 passed by 80-votes and the required letters have been sent to the RSU 24 Superintendent and the State Education Commissioner, both notifying of the vote totals and the reason for withdrawal. He said the next step appears to be to form a withdrawal committee. He said there are required positions, including the RSU local board representative.

RSU 24 Representative Brett Jones said he had some thoughts on that. He said the confirmation is needed from the Department of Education and he would like to see a group put together as soon as possible. Jo suggested that a general public representative should be advertised. Brett said they have asked some people if they were interested, and so far, no one is.

Jo asked if there was any interest among the Selectmen about being the Municipal Officer representative. Gary said it's a busy time of year for him. Cynthia said a member of the petitioning committee must also be appointed, and she suspects that she's related to that likely appointee. Jo said the Selectmen could ask Dick Fennelly. Gary said he would still consider it. Brett said there might not be any particular attendance requirement. Jo said the ad should be posted everywhere possible. Stu said he would send it out via e-mail and prepare a press release. Gordon Donaldson asked if someone could be appointed by the next meeting. Stu said that meeting date is July 12, 2012. A brief discussion followed regarding the requirement that the committee have a plan ready within 90-days of formation.

Dr. Donaldson said the three petitioning communities (Hancock, Ellsworth and Lamoine) are trying to coordinate their work. He said a law change now requires a 50% turnout of voters who cast ballots at the previous gubernatorial election for the vote on the final plan. He said the town is unlikely to obtain that other than the November 6, 2012 presidential election. He said he's anxious to get some information from the RSU.

Stu noted that the law also requires the Education Commissioner to set the election date. Brett said he's not sure what happens if the threshold is not met, and whether that

is deemed a failure that forces a 2-year wait. Dr. Donaldson encouraged the board to speed up the process. He said Ellsworth gave the mayor the power to appoint members to the withdrawal committee, and Hancock planned to hold a special Selectmen's meeting. Jo said Lamoine could have a special meeting when they find someone willing to serve.

Communication from Catherine deTuede – Stu reported a follow up letter was received the previous day and was with the Selectmen's materials tonight. Jo said Ms. deTuede was not able to be present, and she would like a chance to discuss the ideas raised with her. Gary agreed. Stu said he'd be glad to e-mail the dates of the next meetings to her.

Communication from CW Hemingway – Stu reported that Gary received a letter and that an accompanying memo was drawn up with it and included in the packet. Jane Fowler said she and her husband Jay were here as folks curious about the matter. Jo said it appears Mr. Hemingway is requesting that the Selectmen take some action, but she feels a bit out of her depth on the matter. She said she's not even sure if the matter is within the jurisdiction of the Selectmen. Stu said his memo expresses the belief that the issue involves a potential property line dispute and that any road opening permit is within the jurisdiction of the Department of Transportation.

Gary said he spoke with Mr. Hemingway, and he was of the opinion that the Selectmen could be involved if it was alleged that the Code Enforcement Officer had done something wrong. He said Mr. Hemingway told him stakes were set 15-feet from his garage, and that Mr. Hemingway was unable to attend tonight.

Jay Fowler said a number of landowners asked him to represent them. Jo said it still doesn't appear to be within the jurisdiction of the Selectmen, and they can't take any action. Mr. Fowler said he had a map of what area was being discussed. He suggested finding out whether Mr. Hemingway had a permit to build what he did in that area. Stu cautioned that the conversation was probably drifting into an inappropriate area. Jo said she's still of the opinion that the Selectmen are unable to take any action. Mr. Fowler said that is his opinion as well. He said that Mr. Hemingway was at the site recently and said he was going to get a stop work order. Mr. Fowler then read from a letter that said no action has been taken in regard to any project and before anything is the proper permits and notifications would be made. He said Mr. Hemingway appears to be getting worked up about it. Jo suggested that the Selectmen could respond to Mr. Hemingway explaining that nothing has been proposed and the Selectmen have no jurisdiction at this point.

At this point in the meeting (7:37 PM) the Lamoine Volunteer Fire Department pagers were activated for a call involving a possibly overturned kayak. Stu, Brett Jones, and Michael Jordan all left the meeting to respond. The remainder of the minutes come from notes taken by Jo and from the DVD recording of the meeting.

Mr. Fowler read further from the letter which said a formal appeal might be made through an attorney. Gary said the concern was that permits were issued quickly. Mr.

Fowler said there is nothing to get a permit for, and that Mr. Hemingway was upset about nothing. A brief discussion followed regarding the right of way issue in the neighborhood.

Jo said a letter will be written to Mr. Hemingway.

MUBEC – Jo noted a discussion with the Planning Board in regard to this matter last week. There is no new information.

Policy re: Personal Business at town facilities – Jo noted it was in regard to a complaint at the transfer station, and there were notes in regard to this. She suggested that this be tabled until Stu could be present. Cynthia recalled that it was a case that a verbal complaint was received and whether a policy was needed. A very brief discussion followed. The board agreed to table it.

Appointments – Jo moved to appoint the following people to the following positions:

Name	Position	Exp. Date
Jennifer Kovacs	Town Clerk	6/30/2013
Jennifer Kovacs	Tax Collector	6/30/2013
Stuart Marckoon	Administrative Assistant to the Selectmen	6/30/2015
Stuart Marckoon	Treasurer	6/30/2015
Stuart Marckoon	Deputy Town Clerk	6/30/2013
Stuart Marckoon	Deputy Tax Collector	6/30/2013
Stuart Marckoon	Emergency Management Director	6/30/2013
Stuart Marckoon	General Assistance Administrator	6/30/2013
Stuart Marckoon	Addressing Officer	6/30/2013
Stuart Marckoon	Deputy Fire Warden	6/30/2013
Stuart Marckoon	Public Access Officer	6/30/2013
Stuart Marckoon	Road Commissioner	6/30/2013
Michael Arsenault	Animal Control Officer	6/30/2013
George Smith	Fire Chief	6/30/2013
George Smith	Fire Warden	6/30/2013
William Fennelly	Transfer Station Manager	6/30/2013
David Herrick	Harbor Master	6/30/2013
Kevin Murphy	Deputy Harbor Master	6/30/2013
Donald Bamman	Planning Board Member	6/30/2017
Perry Fowler	Alternate Planning Board Member	6/30/2015
Cecilia Ohmart	Budget Committee	6/30/2015
David Legere	Conservation Commissioner	6/30/2015
Douglas Jones	Parks Commissioner - Alternate Member	6/30/2015

Christa Brey	Parks Commissioner	6/30/2015
James Crotteau	Appeals Board Member	6/30/2015

Gary 2nd. **Vote in favor was 4-0. Selectmen signed the appointment papers.**

Code Enforcement Officer – Cynthia suggested a minor change to the draft advertisement for a new Code Enforcement Officer (CEO). Selectmen reviewed the wording.

A proposed application deadline of July 9, 2012 was agreeable to the board. Cynthia asked what a search committee would do. Jo said the committee would meet to organize itself and discuss the position, review applications, and then make a schedule to interview applicants. She asked if everyone wanted to be on that search committee with Planning Board members Don Bamman and Perry Fowler. Cynthia said that seemed like a big committee for an applicant and two members of the Select Board would be fine. Jo said she would like to serve, and she would ask Stu to participate. A brief discussion followed on how many from the Selectboard would participate. Jo and Bill agreed to serve, and a date for the initial meeting would be set later.

Jo said the board needs to appoint an interim CEO effective July 1, 2012. Jo reported that current CEO Dennis Ford has offered to serve as an interim and perhaps that would be an appropriate offer. Jo said the board would need to ask Mr. Ford to fill in possibly through the end of July. A brief discussion of schedules followed, as well as the compensation level. Jo said to keep things as simple as possible for a few weeks we should keep things the way they are during those few weeks. She said a conversation with Mr. Ford should take place.

Jo moved to appoint Dennis Ford as the interim CEO subject to his willingness to do it and keep the office hours the same in July. Bill 2nd. **Vote in favor was 4-0.**

Road Mowing – Jo proposed that the board agree to the suggestion from the Road Commissioner to allow him to put the project out to bid and the award would be made by the Road Commissioner. Gary asked if the Selectmen should review them. Jo said Stu has made the recommendation, but suggested a 3-year bid and a certain distance is specified. Jo moved to delegate that to the road commissioner. Gary 2nd. **Vote in favor was 4-0.**

Vacation Dates – Jo moved to approve the vacation dates proposed by Stu. There was no objection.

Lamoine Quarterly – Jo said she suspects Stu will have a draft ready later.

Audit Management Letter – Jo moved to sign the letter to James Wadman, CPA. Gary 2nd. **Vote in favor was 4-0, Jo signed the letter.**

E-911 Addressing Officer – The board reviewed the form supplied by the Emergency Services Communications Bureau and signed the form indicating that Stu is the addressing officer.

Personnel Reviews – Due to the emergency fire call, personnel were unavailable for their annual reviews. The Board contacted the Animal Control Officer to reschedule. The Deputy CEO was on the fire call and unavailable. The Board opted to table the reviews until a later date.

There being no further business, the meeting adjourned at 8:09 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen